



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/508,813	05/30/2000	NORIO ITO	1907-190PCT	1974

2292 7590 10/06/2003

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER

DANG, DUY M

ART UNIT	PAPER NUMBER
----------	--------------

2621

DATE MAILED: 10/06/2003

12

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/508,813

Applicant(s)

ITO ET AL.

Examiner

Duy M Dang

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 30 May 2000 and 28 June 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 38-90 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 38-42,44-48,53,63,73-82,84 and 87 is/are rejected.
- 7) ☒ Claim(s) 43,46,49-52,54-62,64-68,70-72,83,85,86,88 and 89 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 10-11. 6) ☐ Other: _____

DETAILED ACTION

1. Applicant's preliminary amendment filed 6/28/00 has been entered and made of record.
2. Applicant is informed that the IDS filed 5/30/00 (paper #5) is not considered according to Applicant's letter filed 6/28/00.
3. A copy of an initialized IDS filed 6/28/00 is attached herein.

Claim Objections

4. Claims 43, 49, 51, 54, 56, 59, 61, 64, 66, and 71 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim 41. See MPEP § 608.01(n). Accordingly, the claims 43, 49, 51, 54, 56, 59, 61, 64, 66, 71 have not been further treated on the merits.
5. Claims 50, 55, 60, 65, and 70 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim 42. See MPEP § 608.01(n). Accordingly, the claims 50, 55, 60, 65, and 70 have not been further treated on the merits.
6. Claims 52, 57, 62, 67, and 72 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim 46. See MPEP § 608.01(n). Accordingly, the claims 52, 57, 62, 67, and 72 have not been further treated on the merits.
7. Claims 58 and 68 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim 48. See MPEP § 608.01(n). Accordingly, the claims 58 and 68 have not been further treated on the merits.
8. Claims 83, 85 and 88 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim 41. See MPEP § 608.01(n). Accordingly, the claims 83, 85, and 88 have not been further treated on the merits.

Art Unit: 2621

9. Claims 86 and 89 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim 82. See MPEP § 608.01(n). Accordingly, the claims 86 and 89 have not been further treated on the merits.

10. Claim 90 is objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim 84. See MPEP § 608.01(n). Accordingly, the claim 90 has not been further treated on the merits.

Claim Rejections - 35 USC § 112

11. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

12. Claims 63 and 73 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 63, the phrase “having a combination of plural coding models selectable from claims 38, 39, 40, and 47 recited in lines 1-2. This renders claim vague and indeterminate in scope. Likewise, claim 73 is considered vague and indeterminate in scope.

Claim Rejections - 35 USC § 102

13. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Art Unit: 2621

14. Claims 38-42, 44-46, 47-48, 53, 74-82, 84, and 87 are rejected under 35 U.S.C. 102(e) as being anticipated by Chui et al. (US Patent No. 6,229,926).

Regarding claim 38, Chui teaches an image coding device (i.e., the data processing circuitry 106 comprising a machine 200 for compressing as shown in figure 1 and mentioned in col. 6 lines 17-19) comprising:

a tile decomposition portion...each of the tiles (see figure 2);

a wavelet coding portion..each of the tiles (i.e., the machine 200 employing a wavelet transforms according to figure 1, col. 6 lines 17-19 and col. 5 lines 13-15 and 23-26 functions as the so called “wavelet coding portion”);

a management information generating portion...subband-by-subband basis (see figure 3A and col. 5 lines 34-46. Note that the header data 160 refers to management information and it is generated by the machine 200. Thus, the machine 200 functions as the so called “management information generating portion”); and

a coded data integrating portion...each of the subbands (i.e., the machine 200 generates encoded data 162 (col. 5 line 48) that is attached to header 160 (col. 5 lines 34-46 and figure 3A). Thus, machine 200 functions as the so called “coded data integrating portion”).

Chui further teaches information on a size of coded information of each tile (see col. 5 lines 39-49) as required by claim 39; start code indicating a top element position of coded information of each of the tiles to identify location of the coded information for each tiles in the bit stream (see item 162-1 shown in figure 3A) as required by claim 40; and ID information showing a location of each of the tiles on the original image as the management information (see item 162-1 shown in figure 3A and further detailed in figure 3B) as required by claim 41.

Art Unit: 2621

Regarding claim 42, Chui further teaches these claimed features as shown in figure 2.

The advanced statement as applied to claim 38 above are incorporated herein. Regarding claim 44, Chui further teaches an adjacent pixel adding portion (see figure 2); and wavelet coding portion for extrapolating (note that Chui does teach wavelet coding portion as pointed in claim 38 above, but fails to mention extrapolating by using wavelet coding portion because it is inherently included in the wavelet coding technique).

Regarding claim 45, this claim is also rejected for the same reasons as set forth in claim 41 above.

The advanced statement as applied to claim 38 above are incorporated herein. Chui further teaches a tile composing portion for reconstructing (see machine 202 for decompressing shown in figure 1) as required by claim 47; wherein the wavelet coding portion is provided with a memory (see "stored encoded tiles as image filed" shown at 256 in figure 6; working memory 104 in figure 1) as required by claim 48; filters for subband decomposition (see horizontal and vertical filters mentioned in col. 10 lines 14-15) as required by claims 53.

The advanced statement as applied to claim 38 above are incorporated herein. Chui further teaches decoding device (see machine 200 for decompressing encoded data as shown in figure 1) as required by claim 74.

Regarding claims 75-77, these claims are also rejected for the same reasons as set forth in claims 39-41 above.

Regarding claims 78-79, and 81, these claims are also rejected for the same reasons as set forth in claim 74 above.

Art Unit: 2621

Regarding claim 80, this claim is also rejected for the same reasons as set forth in claims 41 and 44 above.

Regarding claim 82, Chui further teaches wherein the wavelet decoding portion is provided with a memory (see working memory 104 in figure 1).

Regarding claim 84, these claims are also rejected for the same reasons as set forth in claim 53 above.

Allowable Subject Matter

15. Claim 46 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The cited prior art fails to teach or suggest the features as recited in claim 46.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duy M Dang whose telephone number is 703-305-1464. The examiner can normally be reached on Monday to Thursday from 6:30AM to 5:00PM..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo H Boudreau can be reached on 703-305-4706. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

dmd
9/30/03



Duy M. Dang
Patent Examiner